

Electronically Recorded

Official Public Records

Tarrant County Texas

2008 Jul 11 11:06 AM

Fee: \$ 20.00

Submitter: SIMPLIFILE

D208270254

2 Pages

Argonne Henderson

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: 1) YOUR SOCIAL SECURITY NUMBER OR 2) YOUR DRIVER'S LICENSE NUMBER.

CONSENT TO POOLING

STATE OF TEXAS

COUNTY OF TARRANT

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

THAT WHEREAS, on April 19, 2007, Mansfield Independent School District (hereinafter called "Lessor") did execute and deliver to XTO Energy Inc., an Oil and Gas Lease, a Memorandum of which is recorded as Instrument No. D207175753, Official Public Records, Tarrant County, Texas (hereinafter called the "Lease"), covering 297.597 acres, more or less, in Tarrant County, Texas, including the following tract of land:

7. Mansfield Legacy High School - 1253 North Main, Mansfield, Texas 76063. Total of 69.069 acres of land, being 64.749 acres of land located in the Sydney S. Callender Survey, Abstract No. 359, the Margaret Rockerfellow Survey, Abstract No. 1267, and the F. B. Waddell Survey, Abstract No. 1658, Tarrant County, Texas and being located in Blocks 3, 4, 5 and 11, the Subdivision of the J. T. Nichols Estates according the Plat recorded in Volume 1277, Page 641, Deed Records, Tarrant County, Texas, and being 3.977 acres of land located in the Margaret Rockerfellow Survey, Abstract No. 1267, and the F. B. Waddell Survey, Abstract No. 1658, Tarrant County, Texas and being located in Blocks 4 and 5, the Subdivision of the J. T. Nichols Estate according to the plat recorded in Volume 1277, Page 641, Deed Records, Tarrant County, Texas, and being a portion of Tract III described in the deed to J. M. Wells recorded in Volume 6565, Page 237, Deed Records, Tarrant County, Texas, and being 0.343 acres in Lot 1, Block 1, Ambler Addition to the City of Mansfield, Tarrant County, Texas according to the plat recorded in Volume 388 - 202, Page 6, Plat Records, Tarrant County, Texas (hereinafter called "Tract Seven of the Lease"); and

WHEREAS, the Lease and all rights and privileges thereunder are owned by XTO Energy Inc., whose mailing address is 810 Houston Street, Fort Worth, Texas 76102 (hereinafter called "Lessee"); and

WHEREAS, Paragraph 6(a) of the Lease grants Lessee the right, with Lessor's prior written consent, which consent is at Lessor's sole discretion, to pool or unitize all (but not less than all) of said land covered by the Lease with other land covered by the Lease, and/or with any other land, lease, or leases; and

D208270254

WHEREAS, Lessee desires to create a pooled unit which includes only Tract Seven of the Lease and other lands not covered by the Lease;

NOW, THEREFORE, for adequate consideration, Lessor consents to and approves the creation of a pooled unit for the production of gas and hydrocarbon products produced with gas from the Barnett Shale Formation comprised of the land described on the attached Exhibit "A" and as depicted on the Plat attached hereto as Exhibit "B" and incorporated herein for all purposes (the "Unit"). Lessor and Lessee acknowledge that the Unit will include only Tract Seven of the Lease and other lands not covered by the Lease and that the Unit will not include any other tract of land described in the Lease. For the limited purposes of this Consent to Pooling, Lessor waives the requirement of Paragraph 6(a) which limits pooling to "all (but not less than all) of said land covered by the Lease" and hereby agrees that all operations conducted on any lands included in the Unit shall be considered as operations conducted on Tract Seven of the Lease but shall not be considered as operations which shall extend the Lease as to any tract other than Tract Seven of the Lease. This Consent to Pooling shall not constitute a waiver of the provisions of Paragraph 6(a) of the Lease with respect to any other pooling.

This Consent to Pooling is executed by Lessor as of the date of acknowledgment of Lessor's signature below.

LESSOR

Mansfield Independent School District

By: 
President, Board of Trustees

ACKNOWLEDGMENT

STATE OF TEXAS

§
§
§

COUNTY OF TARRANT

This instrument was acknowledged before me on July 10th, 2008, by Gale E. Moricki, Jr. as President of the Board of Trustees of Mansfield Independent School District on behalf of the Mansfield Independent School District.




Notary Public, State of Texas